

Express Mail Label No.: EV328186246 US
Date of Deposit: July 6, 2004

Attorney Docket No: 24334-003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Caduff, et al.
Serial No.: 10/656,997
Filed: September 5, 2003
For: IMPEDANCE SPECTROSCOPY BASED SYSTEMS AND METHODS
Examiner: Not Yet Assigned
Art Unit: 1743

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in the present application are the following documents:

- ☒ Request for Corrected Filing Receipt;
- ☒ Copy of Filing Receipt with correction indicated in red;
- ☒ Copy of Utility Patent Application Transmittal showing in item 18 that the application is a continuation-in-part (CIP) of prior application No. 09/980,661 filed 11/15/01; and
- ☒ Return Postcard.

Please note that this application claims priority to and benefit of USSN 60/408,377 filed September 5, 2002 and also claims priority to and benefit of, and more specifically is a CIP of, USSN 09/980,661 filed Nov.15, 2001.

On June 4, 2004 Applicants submitted a Request for Corrected Filing Receipt similar to the present request. On June 22, 2004 the Office of Initial Patent Examination (OIPE) issued a Response to Request for Corrected Filing Receipt (RRCFR) indicating that the OIPE is unable to comply with the request in the present case because: "A claim for priority cannot be made based on an application filed after the application making the claim." On June 28, 2004, the Applicants' representative telephoned the OIPE to inquire about the RRCFR and spoke with Deshawn, an OIPE representative. The OIPE representative suggested that Applicants submit another Request for Corrected Filing Receipt and attach a copy of the Utility Patent Application Transmittal showing in item 18 that the application is a continuation-in-part (CIP) of prior application No. 09/980,661 filed 11/15/01. Accordingly, the Applicants are filing the present Request for Corrected Filing Receipt.

APPLICANTS: Caduff et al.
U.S.S.N.: 10/656,997

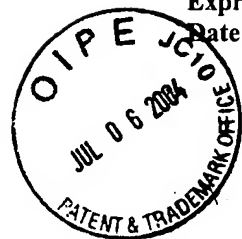
If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts. The Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311, Reference No. 24334-003. A duplicate copy of this Transmittal Letter is enclosed.

Respectfully submitted,



C. Eric Schulman, Reg. No. 43,350
Attorney for Applicants
MINTZ LEVIN COHN FERRIS
GLOVSKY & POPEO, PC
Tel.: (617) 542 6000
Fax: (617) 542-2241
Customer Number 30623.

Date: July 6, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Caduff, et al.
SERIAL NUMBER: 10/656,997 EXAMINER: Not Yet Assigned
FILING DATE: September 5, 2003 ART UNIT: 1743
FOR: IMPEDANCE SPECTROSCOPY BASED SYSTEMS AND METHODS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313.1450

REQUEST FOR CORRECTED FILING RECEIPT

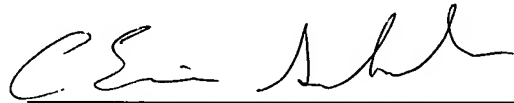
- Applicants request a Corrected Filing Receipt for the above-mentioned provisional patent application. Applicants enclose a copy of the Filing Receipt with the corrections noted thereon. Issuance of a corrected filing receipt is respectfully requested.
- There are errors with respect to the following data, which are:
☐ incorrectly entered *and/or*
☒ omitted.

<i>Error in</i>		<i>Correct data</i>
1.	<input type="checkbox"/> Applicants' name	
2.	<input type="checkbox"/> Applicants' address	
3.	<input type="checkbox"/> Title	
4.	<input type="checkbox"/> Filing Date	
5.	<input type="checkbox"/> Attorney's Name and Address	
6.	<input type="checkbox"/> Serial Number	
7.	<input checked="" type="checkbox"/> Other: Priority Information	Add: "and 09/980,661 filed 11/15/01"

Applicant(s): Caduff, et al.
U.S.S.N.: 10/656,997

3. ☒ The correction is not due to any error by Applicants and Applicants believe that no fee is due. However, the Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment, to Deposit Account No. 50-0311, Reference No. 24334-003.

Respectfully submitted,



C. Eric Schulman, Esq. (Reg. No. 43,350)
Attorney for Applicants
c/o Mintz, Levin, Cohn, Ferris, Glovsky
and Popeo, P.C.
One Financial Center
Boston, MA 02111
Tel: (617) 542-6000
Fax: (617) 542-2241

Dated: July 6, 2004

TRA 1935721v1

C



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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/656,997	09/05/2003	1743	539	24334-003	7	31	3

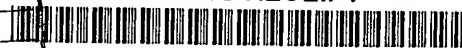
30623
MINTZ, LEVIN, COHN, FERRIS, GLOVSKY
AND POPEO, P.C.
ONE FINANCIAL CENTER
BOSTON, MA 02111



Done By	
<input checked="" type="checkbox"/> Data Entry	<i>AM</i>
<input type="checkbox"/> Docket Entry	
<input type="checkbox"/> Docket Cross Off	
<input type="checkbox"/> Previously Entered	
<input type="checkbox"/> No Docketing Req.	
<input type="checkbox"/> ELITE	
<input type="checkbox"/> Annuities	

CONFIRMATION NO. 1746

UPDATED FILING RECEIPT



0000000012383297

Date Mailed: 04/16/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Andreas Caduff, Zurich, SWITZERLAND;
Etienne Hirt, Cham, SWITZERLAND;
Thomas W. Schrepfer, Oberbozberg, SWITZERLAND;

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/408,377 09/05/2002

and 09/980,661 filed 11/15/01

Foreign Applications

RECEIVED

APR 20 2004

MINTZ LEVIN, BOSTON
PATENT DOCKET DEPT.

If Required, Foreign Filing License Granted: 12/11/2003

Projected Publication Date: 07/29/2004

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Impedance spectroscopy based systems and methods

Preliminary Class

436

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Date of Deposit: July 6, 2004

Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



UTILITY PATENT APPLICATION TRANSMITTAL

Only for new nonprovisional applications under 37 C.F.R. 1.53(b)

Attorney Docket No. 24334-003

First Inventor Andreas Caduff et al.

Title IMPEDANCE SPECTROSCOPY BASED SYSTEMS AND METHODS

Express Mail Label No. EV328709098US; September 5, 2003

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 33]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 7]
5. Oath or Declaration (UNSIGNED) Total Pages 3
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP)

of prior application No: 09/980,661, Filed: 11/15/01

Prior application information: Examiner _____

Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

30623

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name (Print/Type)

C. Eric Schulman, Esq.

Attorney Registration No.

43,350

Signature

Date

September 5, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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11. ☐ English Translation Document (if applicable)
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13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
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Prior application information: Examiner _____

of prior application No: 09/980,661, Filed: 11/15/01
Group / Art Unit: _____

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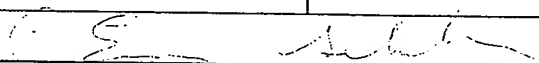
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Name (Print/Type)	C. Eric Schulman, Esq.	Attorney Registration No.	43,350
Signature		Date	September 5, 2003

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